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UNCLAS SECTION 01 OF 03 JAKARTA 000048

SENSITIVE
SIPDIS

DEPT FOR EAP, EAP/MTS, EAP/MLS, EAP/RSP, EAP/INR, S/CT, INR
S/CT FOR RHONDA SHORE
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NSC FOR D.WALTON
KUALA LUMPUR FOR G.CHAPMAN

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TAGS: [PTER](#) [PREL](#) [PINS](#) [ASEC](#) [ID](#)
SUBJECT: INDONESIA: 2009 COUNTRY REPORTS ON
COUNTERTERRORISM

REF: STATE 109980

¶1. (SBU) This message is Sensitive but Unclassified --
Please handle accordingly.

¶2. (SBU) The following is the draft text of the 2009 Country
Report on Terrorism for Indonesia. Please treat as Sensitive
until the report is finalized for submission to Congress.

Begin text:

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GENERAL ASSESSMENT
The Government of Indonesia reacted strongly and decisively
to the July 17, 2009 bombings of the Jakarta Ritz Carlton and
J.W. Marriott hotels, which killed nine people (including the
two bombers) and injured over 50 people in the first attacks
in Indonesia in almost four years.

The Indonesian government's successful counterterrorism
efforts leading up to and stemming from the bombings led to
the arrests of 14 operatives and the deaths of nine,
including Noordin Muhammad Top, the Malaysian leader of a
splinter Jemaah Islamiyah (JI) group based in Indonesia. Top
was believed to have overseen the 2003 Jakarta J. W. Marriott
bombing, the 2004 bombing of the Australian Embassy, and the
2005 Bali bombings and was number one on Indonesia's most
wanted list for several years.

As in the previous bombings, Westerners were targeted. The
Marriott suicide bomber entered a private dining room where a
regular breakfast meeting of prominent business community
representatives, primarily expatriates, was held. The bomber
set off an improvised explosive device (IED) that killed six
people, including the 18 year-old bomber. Approximately five
minutes later, a second bomber set off an IED in the Ritz
Carlton restaurant, killing himself and two others. An
undetected bomb was later discovered in a J.W. Marriott
guest room where one of the bombers stayed during the two
days before the attacks.

The level of planning for the attacks, including the planting
of a JI operative in the hotels, floral shops for at least
two years prior to the bombings, indicated Top's network's
capabilities had grown in sophistication. As the
investigation developed, it became apparent the network was
larger in numbers and geographical reach than previously
thought. The ages of the Marriott bomber and other

operatives indicate Top and his associates successfully recruited youths with no previous criminal records. Family links between operatives, including by marriage, were evident throughout the network.

PASSAGE OR IMPLEMENTATION OF LEGISLATION PERTAINING TO TERRORISM OR TERRORIST FINANCING

Regarding terrorism legislation, the Parliamentary Commission on Security and Defense proposed revisions to the 2003 Terrorism Law. As of the end of 2009, Parliament had not yet begun to review the revisions. It was not clear when they would begin to do so.

One proposed revision to the law would allow a suspect to be detained for two years without trial should his/her activities be deemed an endangerment to Indonesia's security. Under the current law, the Indonesian police must formally name a subject as a terrorism defendant within seven days after the arrest and can then be detained for up to four months without charges. The suspect must be released after the four month period expires if no hard evidence links him to terrorism.

Another proposed revision to the law would allow the police to crack down on individuals and groups that glorify terrorism and openly preach hatred against those of a different faith. This particular law would target radical clerics who support radical jihad, or war, in their religious lectures.

Another proposed revision to the law includes the

JAKARTA 00000048 002 OF 003

establishment of a Counterterrorism Coordination Agency composed of governmental and social components, including representatives of most of the GOI Ministries, the Attorney General's Office, the National Police (INP), the State Intelligence Agency (BIN), and the Armed Forces (TNI).

The Coordinating Minister for Political, Legal, and Social Affairs would head the body and answer directly to the president. The agency would coordinate GOI CT policy and activities, and serve as a central crisis center in the event of a terrorist attack. It has not yet been determined whether the agency would have operational capacities. Elements of the agency would also coordinate with the Religious, Education, and Information Affairs Ministries to implement counter- and de-radicalization programs.

A final proposed revision to the law would allow the Indonesian military (TNI) and the State Intelligence Agency (BIN) to work more closely with the police, directed by the Counterterrorism Coordination Agency, to counter terrorist acts, including piracy, air hijacking and hostage-taking.

Regarding developments in terrorist financing legislation, the Indonesian government made substantial efforts to draft effective terrorism financing legislation that meets FATF standards and creates an effective mechanism to freeze terrorist assets pursuant to UNSCRs 1267 and 1373.

An Indonesian interagency team headed by PPATK, the Indonesian Financial Intelligence Unit, worked to draft new terrorism financing legislation. This draft law addresses criticisms raised in the Asia Pacific Group on Money Laundering (APG) 2008 evaluation of Indonesia, which noted significant deficiencies in Indonesia's statutory and regulatory framework to combat money laundering and terrorism financing.

The draft legislation is a significant improvement over previous terrorist financing legislation as it creates a mechanism to trace, freeze, seize and confiscate terrorist assets pursuant to UNSCRs 1267 and 1373, and clarified and broadened the definition of support to a terrorist organization. The draft legislation does not specifically

address the use of non-profit organizations (NPOs) and non-governmental organizations (NGOs) to finance terrorism, a sensitive topic. Although PPATK interlocutors assert the draft legislation will apply to non-profits, it is unclear whether there would be political will to apply the legislation to non-profits. The GOI initiated a review of its domestic NPO sector in July 2009, as requested by the APG. The review, expected to be completed in July 2010, is a key part of the government's effort to improve regulation and oversight of the NPO sector. To date, there has been only one successful terrorism financing prosecution in Indonesia, a function of poorly drafted legislation, and a lack of training for police and prosecutors.

The number of Suspicious Transaction Reports received averaged over 1,960 per month in 2009, through November (compared to over 900 per month in 2008). Through November 2009, there have been 26 money laundering convictions, 6 of which occurred in 2009.

The Victim and Witness Protection Agency LPSK is in the process of developing procedures to assist victims of crime, including terrorist activities, and to shelter witnesses from criminals including terrorist organizations.

INITIATIVES AND PROGRAMS PERTAINING TO DERADICALISM AND COUNTERING VIOLENT EXTREMISM

The Government of Indonesia continued counter violent extremism (CVE) programs, but concrete, systemic information as to the effectiveness of the programs is not available to date. The National Police and the Ministry for Political, Legal, and Security Affairs offered counter-violence programs to youth across the country, including sports events, television programs, and traditional puppet shows (a strong cultural forum in Indonesia).

JAKARTA 00000048 003 OF 003

REHABILITATION AND REINTEGRATION OF TERRORISTS INTO MAINSTREAM SOCIETY

The Indonesian National Police continued its prisoner assistance program to de-radicalize convicted terrorists, primarily with the assistance of two former terrorists, Ali Imron and Nasir Abas who were convicted for their participation in the 2002 Bali bombings and subsequently agreed to assist police with deradicalization efforts. The program identified individuals who might be open to more moderate teachings and focused on providing spiritual support to the men and modest financial support to their families.

BORDER SECURITY

A Presidential Regulation was issued in 2009 calling for a new national identification card system. Every Indonesian citizen and legally resident foreigner aged 17 years old or above (or is married if below age 17) will be required to apply for the card. Each card/citizen will be assigned an identification number. The card will contain bio data, including fingerprints and a photo. The Indonesian government expects to implement this program in 2011.

BILATERAL COOPERATION

The United States and Indonesia continued to enjoy excellent cooperation on issues related to international terrorism. The Indonesian government has worked closely with the United States on terrorism cases and indicated its interest in ongoing assistance and cooperation. Although there is no mutual legal assistance treaty in place, there is considerable sharing of information between Indonesia and the United States, and mechanisms exist for the formal transfer of evidence.

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End text.

13. (U) Mission point of contact for this report is Poloff Brigid Weiller: weillerbr@state.gov.

